

confirms that election. Accordingly, Applicant hereby cancels Claims 19-40 without prejudice or disclaimer and elects that the cancelled claims are subject to the filing of a divisional application.

Rejections under 35 U.S.C. § 112

Claims 8-10 were rejected by the Examiner under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 8-10 have been cancelled and therefore, Applicant submits said rejection is now moot.

Rejections under 35 U.S.C. § 102

Claims 1 and 3 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,460,940 issued to Lapierre Yves et al. (hereinafter "Yves"). Claim 1 was also rejected under 35 U.S.C. § 102(b) as being anticipated by WO 98/20322 issued to Kreuwel et al. (hereinafter "Kreuwel"). Claims 1-18 have been cancelled. Claims 1, 8, 10, 11, 17, and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,874,047 issued to Michael Josef Schoning et al. (hereinafter "Schoning").

Applicant respectfully submits new claims 41-61 are patentably distinct over the art of record.

Rejections under 35 U.S.C. § 103

Claims 1 and 4-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 96/24631 issued to Lyles et al. (hereinafter "Lyles"). Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yves in view of Schoning. Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schoning or Lyles in view of U.S. Patent 5,843,767 issued to Kenneth L. Beattie (hereinafter "Beattie"). Claims 13, 14, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schoning or Lyles in view of U.S. Patent 6,139,831 issued to Ganaganor Visweswara Shivashankar et al. (hereinafter "Shivashandar"). Claim 15 was

rejected under 35 U.S.C. § 103(a) as being unpatentable over Schoning or Lyles in view of U.S. Patent 5,439,792 issued to James Blake et al. (hereinafter "Blake"). Claims 1, 2, 4-9, and 12-16 have been cancelled.

Applicant respectfully submits new Claims 41-61 are patentably distinct over the art of record.

CONCLUSION

Applicant appreciates the Examiner's careful review of the application. The Application has been reviewed in light of the Office Action mailed November 4, 2002. Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of new Claims 41-61.

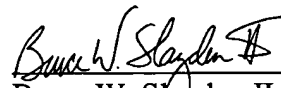
An extension of two (2) months is requested and a Notification of Extension of Time under 37 C.F.R. § 1.136 with the appropriate fee of \$205.00 is attached herewith.

The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0383 of Baker Botts L.L.P.

If there are any matters concerning this application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2606.

Respectfully submitted,

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